

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Replace the effective dates in SECTIONS 165 through 166 with
- 2 "[EFFECTIVE JANUARY 1, 2010]".
- 3 Replace the effective date in SECTION 169 with "[EFFECTIVE
- 4 JANUARY 1, 2010]".
- 5 Replace the effective date in SECTION 172 with "[EFFECTIVE
- 6 JANUARY 1, 2010]".
- 7 Page 20, line 8, delete "34,018,114 34,018,114" and insert
- 8 "**39,018,114 39,018,114**".
- 9 Page 82, delete lines 32 through 40.
- 10 Page 82, line 41, delete "5,895,372 5,895,372" and insert
- 11 "**1,201,402 1,201,402**".
- 12 Page 82, line 42, delete "2,994,753 2,994,753" and insert
- 13 "**1,473,322 1,473,322**".
- 14 Page 82, between lines 42 and 43, begin a new line and insert:
- 15 "**COMER SCHOOL DEVELOPMENT FUND (IC 20-20-38)**
- 16 Total Operating Expense 1,000,000 1,000,000
- 17 **The budget agency shall transfer \$1,000,000 to the Comer School**
- 18 **development fund from the state general fund before August 1,**
- 19 **2009, for the purposes of the Comer School development fund.**
- 20 **Release of funds must be approved by the budget agency after**
- 21 **budget committee review before money may be allotted from the**
- 22 **above appropriation to the Comer School Development Fund.**
- 23 **RESEARCH AND DEVELOPMENT PROGRAMS**
- 24 **Personal Services 86,959 86,959**
- 25 **Other Operating Expense 300,390 300,390**
- 26 **Of the foregoing appropriations for Research and Development**
- 27 **Programs, up to \$140,000 is dedicated for the Center for**
- 28 **Evaluation and Education Policy."**
- 29 Page 83, between lines 5 and 6, begin a new line and insert:
- 30 "**ADMINISTRATION AND FINANCIAL MANAGEMENT**
- 31 **Personal Services 2,144,538 2,144,538**

Other Operating Expense 420,270 420,270".

Page 83, between lines 21 and 22, begin a new line and insert:

"CENTER FOR SCHOOL ASSESSMENT

Personal Services 311,004 311,004

Other Operating Expense 706,025 706,025".

Page 83, between lines 29 and 30, begin a new line and insert:

**"CENTER FOR COMMUNITY RELATIONS AND SPECIAL
POPULATIONS**

Personal Services 234,580 234,580

Other Operating Expense 78,988 78,988".

Page 83, between lines 48 and 49, begin a new line and insert:

**"CENTER FOR SCHOOL IMPROVEMENT AND
PERFORMANCE**

Personal Services 1,701,447 1,701,447

Other Operating Expense 978,089 978,089

PRINCIPAL LEADERSHIP ACADEMY

Personal Services 320,632 320,632

Other Operating Expense 142,204 142,204".

Page 85, line 10, after "above." insert **"Virtual charter school" means any entity that provides for the delivery of more than fifty percent (50%) of instruction to students through virtual distance learning, online technologies, or computer based instruction. A virtual charter school is not entitled to any funding from the state of Indiana during the biennium and is not entitled to a distribution of property taxes."**

Page 85, line 43, delete "14,000,000 14,000,000" and insert **"17,000,000 17,000,000".**

Page 90, between lines 1 and 2, begin a new line and insert:

"SCHOOL BUSINESS OFFICIALS ACADEMY

Total Operating Expense 150,000 150,000

The department shall make the foregoing appropriation for School Business Officials Academy available to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials."

Page 91, between lines 32 and 33, begin a new line and insert:

"GED-ON-TV PROGRAM

Other Operating Expense 229,500 229,500

The foregoing appropriation is for grants to provide GED-ON-TV programming. The GED-ON-TV Program shall submit for review by the budget committee an annual report on the use of this appropriation."

Page 195, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 153. IC 6-2.5-5-16.5, AS AMENDED BY P.L.32-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.5. (a) The following definitions apply

1 throughout this section:

2 (1) "Home energy" means electricity, oil, gas, coal, propane, or
3 any other fuel for use as the principal source of heating or cooling
4 in residential dwellings.

5 (2) "Home energy assistance" means programs administered by
6 the state to supply home energy through the Low Income Home
7 Energy Assistance Block Grant under 42 U.S.C. 8261 et seq.

8 (b) Transactions involving home energy are exempt from the state
9 gross retail tax if the person acquiring the home energy acquires it ~~after~~
10 ~~June 30, 2006, and before July 1, 2009,~~ through home energy
11 assistance."

12 Page 216, delete lines 38 through 48.

13 Page 217, delete lines 1 through 4.

14 Page 228, delete lines 25 through 48.

15 Page 229, delete lines 1 through 34.

16 Page 230, delete lines 5 through 15.

17 Page 288, between lines 2 and 3, begin a new paragraph and insert:

18 "SECTION 265. IC 20-20-38 IS ADDED TO THE INDIANA
19 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2009]:

21 **Chapter 38. The Comer School Development Program and Fund**

22 **Sec. 1. As used in this chapter, "fund" refers to the Comer**
23 **school development program fund established by section 10 of this**
24 **chapter.**

25 **Sec. 2. (a) There is established the Comer school development**
26 **program.**

27 **(b) The Comer school development program shall target at risk**
28 **students enrolled in schools that have the following characteristics:**

29 **(1) A public urban school.**

30 **(2) A public school in which:**

31 **(A) at least fifty percent (50%) of the students who were**
32 **enrolled at that school building during the prior school**
33 **year qualified for free or reduced price lunches under**
34 **guidelines established under 42 U.S.C. 1758(b); and**

35 **(B) lunches are served to students.**

36 **(3) A public school in which at least ten percent (10%) of the**
37 **teachers:**

38 **(A) hold a limited license to teach; or**

39 **(B) teach outside their licensed areas.**

40 **Sec. 3. The department may contract with a state educational**
41 **institution to establish pilot programs targeting schools with**
42 **characteristics set forth in section 2(b) of this chapter.**

43 **Sec. 4. In establishing pilot programs under this chapter, the**
44 **department, in collaboration with a state educational institution**
45 **located within the same county as a school described in section 2(b)**
46 **of this chapter, shall focus on implementing programs that enable**
47 **the local school corporations, appropriate community agencies,**

1 nonprofit entities, and colleges and universities to cooperate with
2 each other.

3 Sec. 5. A pilot program established under this chapter must
4 include, but is not limited to, the following:

- 5 (1) Professional development for teachers.
- 6 (2) Curriculum development and oversight.
- 7 (3) Development of support systems that promote student
- 8 learning and overall development.
- 9 (4) Community involvement.
- 10 (5) Significant matching funds from nonprofit entities or
- 11 businesses.
- 12 (6) Parental participation.

13 Sec. 6. The department, in collaboration with a state educational
14 institution:

- 15 (1) shall select certain school corporations to participate in
- 16 pilot programs established under this chapter; and
- 17 (2) may not select under subdivision (1) a school corporation
- 18 that, on June 30, 2009, is already participating in a pilot
- 19 program as described in section 5 of this chapter.

20 Sec. 7. A school corporation selected or seeking to be selected to
21 participate in a pilot program under this chapter may enter into an
22 agreement with a nonprofit entity, college, or university to provide
23 services to the school corporation in connection with the pilot
24 program.

25 Sec. 8. The department, in collaboration with a state educational
26 institution, shall develop guidelines necessary to implement this
27 chapter.

28 Sec. 9. Each school corporation that participates in a pilot
29 program under this chapter shall prepare a written report
30 detailing all of the pertinent information concerning the
31 implementation of the pilot program, including any:

- 32 (1) recommendations made as a result of; and
- 33 (2) conclusions drawn from;

34 the pilot program. The school corporation shall submit the report
35 to the department.

36 Sec. 10. (a) The Comer school development program fund is
37 established to provide grants to enable participating school
38 corporations to establish and operate pilot programs under this
39 chapter.

40 (b) The fund consists of the following:

- 41 (1) Gifts to the fund.
- 42 (2) Appropriations from the general assembly.
- 43 (3) Grants, including grants from private entities.
- 44 (4) Any combination of the resources described in
- 45 subdivisions (1), (2), and (3).

46 (c) The department shall administer the fund.

47 (d) The expenses of administering the fund shall be paid from
48 money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. The treasurer of state shall deposit in the fund the interest that accrues from the investment of the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 11. (a) To be eligible for a grant under this chapter:

(1) a school corporation; or

(2) two (2) or more school corporations acting under a joint agreement;
must timely apply to the department for a grant on forms provided by the department.

(b) An applying school corporation must include at least the following information in the school corporation's application:

(1) A detailed description of the proposed pilot program format.

(2) The extent to which the applying school corporation intends to include appropriate community resources not directly affiliated with the applying school corporation in the pilot program.

(3) A statement of and any supporting information concerning the need to establish the pilot program as perceived by the applying school corporation.

(4) The estimated cost of implementing the pilot program.

(5) Any other pertinent information required by the department in collaboration with the state educational institution with which the department enters into a contract under section 3 of this chapter.

Sec. 12. This chapter expires June 30, 2014."

Page 289, delete lines 41 through 48.

Page 290, delete lines 1 through 18.

Page 294, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 274. IC 20-30-6-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) As used in this section, "qualified provider" means any of the following:

(1) A school corporation.

(2) An eligible provider (as defined in 20 U.S.C. 9202), if the governing body notifies the state board that it is able to provide by itself or in collaboration with a partner the prescribed program of adult education in the area.

(a) (b) The state board and the state superintendent may prescribe a program of adult education. The state board shall adopt rules under IC 4-22-2 to provide for this program, including rules establishing procedures to select an eligible provider under subsection (a)(2)

and ~~to provide~~ for the state distribution formula for money appropriated by the general assembly for adult education. **In establishing rules governing contracts with school corporations, the state board shall permit a school corporation to deliver an adult education program in collaboration with other organizations, including Ivy Tech Community College or another state educational institution, if the school corporation determines that the school corporation will provide some, but not all, of the adult education programs in an area.** Money appropriated by the general assembly for adult education may be used only to reimburse a ~~school corporation~~ **qualified provider** for adult education that is provided to individuals who:

- (1) need the education to master a skill that leads to:
 - (A) the completion of grade 8; or
 - (B) a state of Indiana general educational development (GED) diploma under IC 20-20-6;
- (2) need the education to receive high school credit to obtain a high school diploma; or
- (3) have graduated from high school (or received a high school equivalency certificate or a state of Indiana general educational development (GED) diploma) but who demonstrate basic skill deficiencies in mathematics or English/language arts.

For purposes of reimbursement under this section, ~~the school corporation~~ **a qualified provider** may not count an individual who is also enrolled in ~~the school corporation's~~ a kindergarten through grade 12 educational program. An individual described in subdivision (3) may be counted for reimbursement by ~~the school corporation~~ **a qualified provider** only for classes taken in mathematics and English/language arts.

~~(b)~~ **(c)** The state board shall provide for reimbursement to a ~~school corporation~~ **qualified provider** under this section for instructor salaries and administrative and support costs. However, the state board may not allocate more than fifteen percent (15%) of the total appropriation under subsection ~~(a)~~ **(b)** for administrative and support costs.

~~(c)~~ **(d)** A ~~school corporation~~ **qualified provider** may conduct a program of adult education.

~~(d)~~ **(e)** A school corporation may require an individual who:

- (1) is at least sixteen (16) years of age; and
- (2) wishes to enroll in a school following the student's expulsion from school under IC 20-33-8 on the grounds that the student was:
 - (A) disorderly; or
 - (B) dangerous to persons or property;

to attend evening classes or classes established for students who are at least sixteen (16) years of age. However, the school corporation shall provide a child with a disability (as defined in IC 20-35-1-2) who is at least eighteen (18) years of age and whom the school corporation elects to educate with an appropriate special educational program."

- 1 Page 295, delete lines 6 through 11.
- 2 Page 295, delete lines 15 through 17.
- 3 Page 300, delete lines 40 through 42.
- 4 Page 308, delete lines 18 through 48.
- 5 Delete pages 309 through 310.
- 6 Page 311, delete lines 1 through 12.
- 7 Page 372, delete line 2.
- 8 Page 372, delete lines 14 through 17.
- 9 Page 381, delete lines 2 through 14.
- 10 Renumber all SECTIONS consecutively.
(Reference is to EHB 1001(ss) as printed June 19, 2009.)

Senator TALLIAN